

**REMARKS**

Claims 1 and 3-24 are pending in this application. All of the pending claims are rejected. None of the claims are currently amended. Reconsideration is respectfully requested.

Claims 1, 3-10, 12-15, 17, and 19-24 are rejected under 35 U.S.C. 103(a) based on US 6,094,435 (Hoffman) in view of Ambe et al (US 7009968 B2). The examiner indicated that the arguments presented in the appeal brief with regard to Hoffman are persuasive, but that Ambe discloses the features which Hoffman lacks. Turning directly to independent claims 1, 13 and 20, Ambe is cited at column 3:29-51 as describing unicast and multicast packets, and at column 9:13-36, column 13:16-31 and figure 8 as describing selectively modifying the priority of the traffic in response to a destination parameter of the packet traffic when the type of packet traffic is unicast, and selectively modifying the priority of the traffic in response to a source parameter of the packet traffic when the type of packet traffic is multicast. Ambe, like Hoffman and other references, show that packet prioritization and unicast and multicast packet types were well known in the prior art. However, further elaboration of the reasons for rejecting the limitations associated with modifying priority would be helpful. In the cited passages and figure applicant is able to find only one reference to changing packet priority: “some of the actions may involve changing the 802.1p priority in the packet Tag header.”<sup>1</sup> Applicant cannot see how that statement supports a rejection of a claim that recites modifying priority *based on whether the packet is unicast or multicast*. Further, the recited limitation is even more specific because it recites modifying the priority in response to a *destination parameter* in the case of unicast traffic and in response to a *source parameter* in the case of multicast traffic. In what way are the description of the address resolution logic at column 13 and the illustration of the “E\_Dst search

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<sup>1</sup> Ambe at column 9:19:20

flowchart” of figure 8 relevant to the recited limitations? Packet prioritization and unicast/multicast types are well known, but none of the references cited in this prosecution show the recited relationship between those things. Applicant therefore respectfully requests withdrawal of the rejections, or at least a complete explanation of which features in Ambe allegedly correspond to the recited limitations.

The dependent claims further distinguish the invention and are allowable for the same reasons as their respective base claims. Withdrawal of the rejections of the dependent claims is therefore also requested.

For the reasons stated above, this application is now considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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